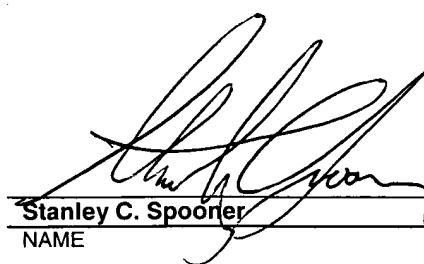


FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 124-1144
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/565017 Unknown	
INTERNATIONAL APPLICATION NO. PCT/GB2004/003187	INTERNATIONAL FILING DATE 23 July 2004	PRIORITY DATE CLAIMED 26 July 2003	
TITLE OF INVENTION VARIABLE OPTICAL ATTENUATOR			
APPLICANT(S) FOR DO/EO/US MCNIE ET AL.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</p> <p>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input checked="" type="checkbox"/> WO 2005/012968 is attached hereto (27 pages specification, claims & abstract (29 claims), 4 sheets drawings).</p> <p>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11 To 20 below concern document(s) or information included:			
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. a. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information. International Search Report; UK Search Report</p>			

IAP15 Rec'd PCT/PTO 19 JAN 2006

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) Unknown		INTERNATIONAL APPLICATION NO. PCT/GB2004/003187		ATTORNEY'S DOCKET NUMBER 124-1144																									
<input checked="" type="checkbox"/> The following fees are submitted:																													
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):																													
21. <input checked="" type="checkbox"/> Basic national fee \$300.00 (1631)/\$150.00 (2631) \$ 300.00 22. <input checked="" type="checkbox"/> Examination Fee \$0 (1643/2643) \$ 200.00 23. <input checked="" type="checkbox"/> Search Fee \$200.00 (1633)/\$100.00 (2633) \$ 200.00 \$100 (1641)/\$50 (2641) \$ 400.00 \$400 (1642)/\$200 (2642) \$ 400.00 \$500.00 (1632)/\$250.00 (2632) \$ 900.00																													
TOTAL OF ABOVE CALCULATIONS																													
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																													
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE																									
31 -100	0	/50 =	0.00	\$0.00 (1681) \$0.00 (2681)	\$																								
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).																													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th># EXTRA</th> <th colspan="3">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>29</td> <td>minus 20 =</td> <td>9 X</td> <td>\$50.00 (1615)/</td> <td>\$25.00 (2615) \$ 450.00</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>minus 3 =</td> <td>0 X</td> <td>\$200.00 (1614)</td> <td>\$100.00 (2614) \$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td colspan="3">\$360.00 (1616)/\$180.00 (2616) \$ 0.00</td> </tr> </tbody> </table>						CLAIMS	NUMBER FILED	# EXTRA	RATE			Total Claims	29	minus 20 =	9 X	\$50.00 (1615)/	\$25.00 (2615) \$ 450.00	Independent Claims	1	minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614) \$	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616) \$ 0.00		
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MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616) \$ 0.00																										
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$ 0.00																													
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.																													
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). + 0.00																													
TOTAL NATIONAL FEE = \$ 1350.00																													
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property + \$ 40.00																													
Fee for Petition to Revive Unintentionally Abandoned Application: \$1500.00 (1453) / \$750.00 (2453) \$ 0.00																													
TOTAL FEES ENCLOSED = \$ 1390.00																													
Amount to be refunded: \$																													
Amount to be Charged: \$																													
a. <input type="checkbox"/> A check in the amount of \$1390.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate</u> copy of this form is enclosed. d. <input checked="" type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED. e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/GB2004/003187 and any U.S. and foreign application(s) corresponding thereto, and GB 0317522.1, referred to in this application is/are hereby incorporated by reference in this application. NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.																													
CORRESPONDENCE ADDRESS Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 23117 Type Customer Number here																													
 Stanley C. Spooner NAME																													
27,393 January 19, 2006 REGISTRATION NUMBER Date																													